

**Town of Sunset Beach
Monthly Council
Work Session & Regular Meeting
March 2, 2015**

MINUTES

Members Present: Mayor Ron Watts, Mayor Pro-Tem Lou DeVita, Councilwoman Carol Scott, Councilman Wilson Sherrill, Councilman Mike Williams and Councilman Terry Johnson

Members absent: None

Attorney & Staff Present: Susan Parker, Town Administrator; Bonnie Schwerd, Finance Director; Dustin Graham, Public Works Director; Kevin Dempsey, Fire Chief; Joe Smith, Detective; and Lisa Anglin, Town Clerk

**Work Session
6:45 pm**

Mayor Watts called the Work Session to order, called for agenda amendments, and general discussions by the Council.

Agenda Amendments

Mayor Watts advised that the Presentation on the Kingfishing National Championship by Rube McMullan can be removed from the agenda. Mayor Pro-Tem DeVita requested an update concerning the Paid Parking RFP. Susan Parker advised that Bonnie Schwerd would give an updated during the financial report.

Council Discussion

House Bills

Rawls Howard advised the Council of several House Bills that are being proposed by the NC General Assembly that could negatively impact the Town. Council requested Howard to contact the NC Planners Group and the NC League of Municipalities to determine if they are taking a collective stand. Council briefly discussed sending a resolution to our representatives and encouraged the audience to contact the representatives also.

County Revaluations

Councilman Sherrill advised that the County has completed the revaluation project and notices are being mailed to property owners from the County.

GSATS

Councilman Williams advised that the Highway 31 extension project has entered the environmental study phase. The estimated cost of the project will be split between North and South Carolina.

Council Discussion (Cont.)

Board of Adjustment

Councilwoman Scott advised that the Board of Adjustment had its first meeting on February 24, 2015 which included a variance request of a side yard set- back on North Shore Drive Extension that was granted and an appeal of the UDO Administrator's determination concerning the statutory vested rights of the Palm Cove owners. Councilwoman Scott acknowledged that Town Attorney Richardson did a great job representing the Town and prevailed with the Board of Adjustment upholding the Administrators determination.

Monthly Meeting 7:00 pm

Call to Order & Pledge of Allegiance

Mayor Watts called the meeting to order and the Pledge of Allegiance was recited.

Approval of the Draft Agenda

COUNCILWOMAN SCOTT MADE A MOTION TO APPROVE THE AGENDA AS AMENDED. COUNCILMAN WILLIAMS SECONDED THE MOTION. MAYOR WATTS CALLED FOR A VOTE AND THE MOTION CARRIED BY UNANIMOUS VOTE.

Closed Session

COUNCILMAN WILLIAMS MADE A MOTION TO GO INTO CLOSED SESSION PURSUANT TO NCGS 143-318.11 (a) (3) TO CONSULT WITH ATTORNEY RICHARDSON IN ORDER TO PRESERVE THE ATTORNEY-CLIENT PRIVILEGE. COUNCILMAN SHERRILL SECONDED THE MOTION. MAYOR WATTS CALLED FOR A VOTE AND THE MOTION CARRIED BY UNANIMOUS VOTE.

COUNCILMAN WILLIAMS MADE A MOTION TO RETURN TO OPEN SESSION. MAYOR PRO-TEM DEVITA SECONDED THE MOTION. MAYOR WATTS CALLED FOR A VOTE AND THE MOTION CARRIED BY UNANIMOUS VOTE.

The Council met in Closed Session for approximately 30 minutes. No action taken.

MAYOR PRO-TEM DEVITA MADE A MOTION TO RECONVENE THE FEBRUARY 2, 2015 REGULAR MEETING. COUNCILMAN WILLIAMS SECONDED THE MOTION. MAYOR WATTS CALLED FOR A VOTE AND THE MOTION CARRIED BY UNANIMOUS VOTE.

Public Comments on Agenda Items Only – Comments are limited to three (3) minutes per speaker
Jan Harris 206 North Shore Drive – Read a prepared statement opposing the Ocean Isle Beach Terminal Groin project.

Kenny Vollrath, Future Homes of NC Representative – Voiced support for the Planning Board recommendation concerning the ordinance amendment to delete the roof pitch requirement for modular homes.

John Corbett 423 Sailfish Street – Voiced support for the Council comment letter to the Army Corps of Engineers concerning the BOEM Environmental Assessment concerning Commercial Wind Energy Leasing Offshore North Carolina and the Council comment letter concerning the Ocean Isle Beach Terminal Groin project; questioned who will be responsible for filling in the holes on the beach strand at the end of the day.

Dave Eastburn 32nd Street – Voiced support for the Council comment letter to the Army Corps of Engineers concerning the BOEM Environmental Assessment concerning Commercial Wind Energy Leasing Offshore North Carolina and the Council comment letter concerning the Ocean Isle Beach Terminal Groin project.

Minutes for Approval Consideration

MAYOR PRO-TEM DEVITA MADE A MOTION TO APPROVE THE JANUARY 5, 2015 REGULAR MEETING MINUTES, THE JANUARY 14, 2015 COMMUNITY MEETING MINUTES AND THE JANUARY 20, 2015 WORK SESSION MINUTES AS PRESENTED. COUNCILWOMAN SCOTT SECONDED THE MOTION. MAYOR WATTS CALLED FOR A VOTE AND THE MOTION CARRIED BY UNANIMOUS VOTE.

Town Administrator Report

Town Park – Susan Parker advised that a formal complaint is being filed concerning Withers & Ravenel.

Board of Adjustment – Parker advised that the Board of Adjustment upheld her letter of determination denying the Palm Cove vested rights.

Cape Fear Council of Governments Annual Meeting – Parker advised that she attended the Cape Fear Council of Governments Annual Meeting in February.

Congressman David Rouzer – Parker advised that she has a meeting with Congressman Rouzer's staff voicing energy concerns and dredging issues.

Departmental Reports

Police – Detective Smith added to the report that vehicle break-ins are being reported in the Colony I & II area and encouraged citizens to call 911 to report suspicious activities. Smith advised that Deputy Chief Joey Adams will be retiring March 31, 2015.

Public Works – Dustin Graham added to his report that one of the gazebo area bathrooms is being removed for repairs. Graham advised that the median work at the intersection of Shoreline Drive West and Sunset Blvd. North is expected to begin in the next two weeks.

Planning and Inspections – Rawls Howard added to his report that the inspections department is reporting an increase in permit applications and a steady number of CAMA permit applications. Howard advised that commercial building activity is increasing with the remodeling of 690 Sunset Blvd. North to accommodate McLeod Medical, the Highway 904 senior citizens apartment complex and the retail establishment proposed for Sunset Village.

Fire Department – Chief Dempsey added to his report that all of the fire department equipment has been serviced and is ready for the season. Dempsey advised that the ladder truck is still in Florida. The truck has been painted but an electrical issue was discovered that is being repaired before the truck is returned.

Departmental Reports (Cont.)

Dempsey advised that Station #2 is not closed as fire department personnel are assigned to that station to report and respond with equipment if needed. Chief Dempsey explained that the four (4) full-time fire department personnel per shift are now being housed at Fire Station #1 instead of two (2) personnel being housed at each station. This change was made to ensure that the four (4) personnel arrive on a scene simultaneously to provide safety for the personnel.

Finance Department – Bonnie Schwerd reviewed the financial snapshot with the Council. Schwerd advised that no responses were received from the Paid Parking RFP. Schwerd advised that feedback was received indicating that the timing requirement of April 1, 2015 for the program to be up and running prevented companies from responding. The Council briefly discussed deleting the timing requirement and to re-advertise the RFP.

New Business

Consideration of Approval of Capital Improvement Plan Policy

Schwerd and the Council reviewed the proposed Capital Improvement Plan Policy and made minor amendments.

MAYOR PRO-TEM DEVITA MADE A MOTION TO ADOPT THE CAPITAL IMPROVEMENT PLAN POLICY AS AMENDED. COUNCILMAN SHERRILL SECONDED THE MOTION. MAYOR WATTS CALLED FOR A VOTE AND THE MOTION CARRIED BY UNANIMOUS VOTE.

Consideration of Approval of the Fiscal Policy

Schwerd and the Council reviewed the proposed Fiscal Policy and made minor amendments.

COUNCILMAN SHERRILL MADE A MOTION TO ADOPT THE FISCAL POLICY AS AMENDED. COUNCILMAN JOHNSON SECONDED THE MOTION. MAYOR WATTS CALLED FOR A VOTE AND THE MOTION CARRIED BY UNANIMOUS VOTE.

Consideration of Ordinance 95.07 (a) Amendment

Susan Parker advised that the perimeter stated in the current ordinance is incorrect. This amendment corrects the error.

MAYOR PRO-TEM DEVITA MADE A MOTION TO APPROVE THE ORDINANCE 95.07(a) AMENDMENT TO CORRECT THE ERROR OF 30' PERIMETER TO AN 84' PERIMETER. COUNCILMAN JOHNSON SECONDED THE MOTION. MAYOR WATTS CALLED FOR A VOTE AND THE MOTION CARRIED BY UNANIMOUS VOTE.

Consideration of Resolution Requesting NCGS20-17124 Amendment

Chief Dempsey advised that this request of the General Assembly to amend NCGS 20-171.24 would allow the fire department personnel on the ATV's to respond to calls on the island by allowing low speed vehicles on the roadway.

COUNCILWOMAN SCOTT MADE A MOTION TO APPROVE THE RESOLUTION REQUESTING AN AMENDMENT TO NCGS 20-171.24 TO ALLOW EMERGENCY PERSONNEL TO UTILIZE LOW SPEED VEHICLES ON THE ROADWAYS. COUNCILMAN WILLIAMS SECONDED THE MOTION. MAYOR WATTS CALLED FOR A VOTE AND THE MOTION CARRIED BY UNANIMOUS VOTE.

New Business (Cont.)

Consideration of Approval of Beach Patrol Operation

Chief Dempsey presented the Fire Department proposal to assume the Beach Patrol Operation for this season with trained EMT personnel. Dempsey and the Council briefly discussed the operation and personnel. The Council reached a consensus to discuss and reach a final decision concerning the Beach Patrol Operation during the March Work Session.

Consideration of Acceptance of Planning Board Recommendation to Amend UDO Article 7 Section 7.03 Modular Homes/Buildings and Schedule Public Hearing April 6, 2015 at 7:00 pm

Rawls Howard advised that the Planning Board is recommending an Ordinance amendment for UDO Article 7 Section 7.03 Modular Homes/Buildings to eliminate the roof pitch requirement.

MAYOR PRO-TEM DEVITA MADE A MOTION TO ACCEPT THE PLANNING BOARD RECOMMENDATION TO AMEND UDO ARTICLE 7 SECTION 7.03 MODULAR HOMES/BUILDINGS AND TO SCHEDULE A PUBLIC HEARING FOR APRIL 6, 2015 AT 7:00 PM. COUNCILMAN JOHNSON SECONDED THE MOTION. MAYOR WATTS CALLED FOR A VOTE AND THE MOTION CARRIED BY UNANIMOUS VOTE.

Consideration of Appointment of an Additional Councilmember to the Jaguar's Lair Negotiating Team
COUNCILWOMAN SCOTT MADE A MOTION TO APPOINT COUNCILMAN WILLIAMS TO THE JAGUAR'S LAIR NEGOTIATING TEAM. COUNCILMAN SHERRILL SECONDED THE MOTION. MAYOR WATTS CALLED FOR A VOTE. MAYOR PRO-TEM DEVITA, COUNCILMAN SHERRILL, COUNCILMAN WILLIAMS AND COUNCILWOMAN SCOTT VOTED YES. COUNCILMAN JOHNSON VOTED NO. THE MOTION CARRIED BY MAJORITY VOTE.

Authorization for Clerk to Advertise Board of Adjustment Term Expiration

Mayor Pro-Tem DeVita suggested making an exception to the Council policy with this term expiration since the Board of Adjustment was delayed in training and organization until February. Staff was requested to determine if the member whose term is expiring is interested in being reappointed and if so the re-appointment can be added to the March 17, 2015 Work Session agenda. The Council agreed.

Approval of Police Department Mutual Aid Agreement with the Town of Oak Island

MAYOR PRO-TEM DEVITA MADE A MOTION TO APPROVE THE POLICE DEPARTMENT MUTUAL AID AGREEMENT WITH THE TOWN OF OAK ISLAND. COUNCILWOMAN SCOTT SECONDED THE MOTION. MAYOR WATTS CALLED FOR A VOTE AND THE MOTION CARRIED BY UNANIMOUS VOTE.

Consideration of Council comment on BOEM Environmental Assessment concerning Commercial Wind Energy Leasing Offshore North Carolina

The Council reviewed and discussed the proposed letter drafted by Councilwoman Scott and made minor amendments. The Council agreed that the total impact needed to be looked at from a federal level for the entire Atlantic coastline.

MAYOR PRO-TEM DEVITA MADE A MOTION TO APPROVE THE AMENDED COUNCIL COMMENT LETTER ON THE BOEM ENVIRONMENTAL ASSESSMENT CONCERNING COMMERCIAL WIND ENERGY LEASING OFFSHORE NORTH CAROLINA. COUNCILWOMAN SCOTT SECONDED THE MOTION. MAYOR WATTS CALLED FOR A VOTE AND THE MOTION CARRIED BY UNANIMOUS VOTE.

New Business (Cont.)

Consideration of Council comment on Ocean Isle Beach terminal groin project

The Council reviewed and discussed the proposed letter drafted by Councilwoman Scott and made minor amendments.

COUNCILWOMAN SCOTT MADE A MOTION TO APPROVE THE AMENDED COUNCIL COMMENT LETTER ON THE OCEAN ISLE BEACH TERMINAL GROIN PROJECT TO BE SENT TO THE ARMY CORPS OF ENGINEERS AND THE DIVISION OF COASTAL MANAGEMENT. MAYOR PRO-TEM DEVITA SECONDED THE MOTION. MAYOR WATTS CALLED FOR A VOTE. MAYOR PRO-TEM DEVITA, COUNCILMAN JOHNSON, COUNCILWOMAN SCOTT AND COUNCILMAN WILLIAMS VOTED YES. COUNCILMAN SHERRILL VOTED NO. THE MOTION CARRIED BY MAJORITY VOTE.

The Council was made aware of a Public Hearing concerning the Ocean Isle Beach Terminal Groin Project scheduled for March 3rd from 6:00 pm – 8:00 pm at Union Elementary School.

Public Comments

Dave Eastburn 32nd Street – Thanked the Council for taking a position with the comment letter to the Army Corps of Engineers concerning the BOEM Environmental Assessment concerning Commercial Wind Energy Leasing Offshore North Carolina and the comment letter concerning the Ocean Isle Beach Terminal Groin project.

Jean Hutchinson 436 6th Street - Thanked the Council for taking a position with the comment letter concerning the Ocean Isle Beach Terminal Groin project.

Adjournment

MAYOR PRO-TEM DEVITA MADE A MOTION TO ADJOURN THE MARCH 2, 2015 COUNCIL MEETING. COUNCILMAN SHERRILL SECONDED THE MOTION. MAYOR WATTS CALLED FOR A VOTE AND THE MOTION CARRIED BY UNANIMOUS VOTE.

Town of Sunset Beach

Ron Watts, Mayor

Submitted by:

Lisa Anglin, Town Clerk

*The March 2, 2015 minutes were approved by the Town Council during the April 6, 2015 meeting.